

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



August 23, 1999

ALL COUNTY INFORMATION NOTICE NO. I-59-99

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTSREASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: POST-HEARING MODIFICATIONS TO CalWORKs IMPLEMENTING REGULATIONS

REFERENCE: INCOME/GRANT STRUCTURE REGULATION PACKAGE #0498-11
IN THE CalWORKs CASH AID PROGRAM

The purpose of this letter is to inform you of the recent approval by the Office of Administrative Law (OAL) of post-hearing changes and clarifications pertaining to the treatment of income and the grant structure regulations in the CalWORKs Cash Aid Program (Regulation Package #0498-11, originally effective July 1, 1998). These final modifications were made primarily in response to public testimony received by the Department and are effective July 30, 1999. Therefore, for purposes of budgeting, these regulations would first be applied to the budget month of August.

SUMMARY OF SUBSTANTIVE CHANGES OR CLARIFICATIONS:

- MPP Section 44-101.6: The definition of private disability insurance benefits has been clarified and expanded to include all employer-based disability insurance benefits regardless of whether there is an employee contribution for purposes of applying the \$225 unearned disability-based income disregard.
- MPP Section 44-111.24: The earned income exemption which applies to college work study has been clarified to reflect that income from "any" college work study program is exempt.
- MPP Section 44-115.3: Modifications were made in the income in kind calculation to ensure that when an income in kind deduction in the aid payment is required, the deduction does not include in kind amounts for penalized aided members whose needs are not included in the aid payment. For example, individuals who do not meet school attendance requirements do not have their needs considered in the Maximum Aid Payment (MAP) so the family's in kind deduction can not include these individuals' needs which were not part of the MAP.

- MPP Section 44-133.2: The exemption of income for a recipient of the California Assistance Program for Immigrants (CAPI) has been added to this section to clarify that recipients of CAPI who are family members of members in the CalWORKs case do not have their income considered in the CalWORKs case.
- MPP Sections 44-133.5 and .6: The treatment of income and needs for ineligible alien family members residing in the home of their aided spouses and children has been revised to ensure equitable treatment for aliens and citizens. The change eliminates the requirement that income and needs of some ineligible aliens be considered when calculating the CalWORKs grant. For example, unmarried alien fathers and their children who could not have been aided regardless of their alien status because their children are not deprived of parental support or care will no longer have their income and needs considered. This is consistent with the policy for citizen unmarried fathers with the same circumstance.
- MPP Section 44-207.2: Clarifying language has been added to ensure that when determining financial eligibility, the family's net nonexempt income is compared to the Maximum Aid Payment (MAP) plus special needs for the AU after the income has been subtracted from the family MAP.

NOTICES OF ACTION (NOA)/FORMS

We have not identified a need to amend or develop any NOA or form regarding these changes at this time.

CONTACTS

If you have questions regarding Income (MPP Section 44-100) or Financial Eligibility (MPP Section 44-207.2), contact Julie Lopes at (916) 654-1786. For questions regarding Amount of Aid (MPP Section 44-315), contact Elizabeth Allred at (916) 657-3350. The CALNET prefixes are 454, for the 654 prefix, and 457, for the 657 prefix.

Sincerely,
Original document signed by
Charr Lee Metsker on 8/23/99
 CHARR LEE METSKER, Chief
 Employment and Eligibility Branch

c: CWDA
 CSAC